Supreme Court, U.S.
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OFFICE OF THE CLERK

CASE_____

IN THE UNITED STATES SUPREME COURT
FOR THE DISTRICT OF NEW MEXICO

TERM 2007
CIVIL APP. No. 2222

WILLIAM LORD PUNCHARD;
ROYAL DEMOCRATIC STATES OF CONTINENTAL (Sudan) AFRICA GOVERNMENT,
Plaintiff-appellants,
Vs,

United States Government; The State of New Mexico; U.S. Department of State; Secretary Condelease Rice;President George W. Bush; Governor Bill Richerson; New Mexico Child Protective Department; Debbie Clark; Sixth Judicial State District Court; Judge Garrie Jeffries; Deming City Police Department; Adrin Flores,
Defendant-Appellees.

Petition for an exclusive Jurisdiction Up from the Tenth Circuit Court of Appeals To the Supreme Court

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Petition to exclusive jurisdiction and *Certiorar* Review

DE\Appellees Counsel <> **Pl\Appellant Counsel**
David C. Iglesias; **William lord Punchard**
John W. Zavitz **702 West First Street**
201 3rd Street N.W. **Deming, New Mexico**
Albuquerque, N.M. 87103 **88030**

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QUESTIONS PRESENTED FOR REVIEW
(05-129)(APP. 2222)

Pursuant to Appeals Court disposition statements

(EXHIBIT 00) Page (APP. 3) [Hi-lighted] "we disregard Any reference of Arguments Punchard makes that depends on that alleged entity''(Royal Continental (Sudan) African Government) **existence".**

Q.1. did APP.C. failure to grant service **to all** known PL\APAs (Gove.)a failure to defend **D.Court's** disposition granting the DE\APES (Conspirators)Motion to Dismiss ?

Q.2. Pursuant to **U.S. Constitution Article III.,Sec,. 2.,Paragraph 2.(**Exclusive Jurisdiction) concerning Foreign Ministers… did **D.Court** &.APP.C. Attempt at Grant **Motion to Dismiss** Suffer from the Doctrine of **None-Delegation** (Jurisdiction) ?

Q.3. ,, Jurisdiction Question! ,did APP.C. & D.C. **Personal** attempt **to sat** Political status (Consummate) of PL\ APA'S (Royal Gov.) a violation of his U.S. Constitution Rights to Article I.,Sec.,10.,Paragraph 1.(title of Nobility) Protection?

QUESTIONS PRESENTED FOR REVIEW

Pursuant to **U.S. Constitution Article III..Sec..**

2..Paragraph 2.(Exclusive Jurisdiction) concerning Foreign Ministers:

Q.4. Did **D.Court** Grant a Premature **Motion to Dismiss?**

Q.5. Did D.C. granted of **Motion to dismiss** Suffer from the Doctrine of **None-Delegation** (Exclusive Jurisdiction) ?

Q.6. Should D.C. have Declare an arrest of judgement (on jurisdiction grounds)?

Q.7. Did Answer to **(Q.5.) represent a DE\APE's failure to state a claim up** on which his **Motion to Dismiss** could be **sustained?**

Q.8. Did DE\APEs (State and City) violate PL\APAs with **Slander of fraudulent Sex Offender Web site Claims** that caused Police **False –Imprisonment** actions ?

QUESTIONS PRESENTED FOR REVIEW

The Appeals Court attempted to add a unrelated second Case here in ,

Q.9. Was the APP. Court's unrelated Case (05-130) Mixing a violation of PL\APA's Constitutional Protection against A **Bill of Attainder?**

Q.10. Was the **Bill of Attainder** a failure to state a claim up on which D.C. Granted **Dismiss Motions** could be sustained?

Q.11. Was the Attempted Case (05-130) Mixing of unrelated Case Matter a Violation of PL|APA'S constitutional Protection against **EX POST Fac'to** jeopardy?

Q.12. Was this Attempted **unrelated** Case (05-130) Mixing a APP. Court failure to Defend DE\APEs acts of **Conspiracy to** Kidmapping the PL\APA'S **family Members, and Agents?**

Q.13. Is DE\APEs failure to answer PL\APA's **D.C. Summons** Timely a failure to state a defense claim up on which **U.S. Court Exclusive** relief could be had ?

QUESTIONS PRESENTED FOR REVIEW.

Q.14. Pursuant to RULE 902(B) Fed.R.C. P. : Was DE\APE(STATE JUDGE) **in error** for failure to return the **child** from **attempted adoption** after Notice Embassy Identification was received?

Q.15. Will Court Order the Child Return to PL\APA?

Q.16 DE\APEs continued False Imprisonment after **Embassy Notice under RULE 4..** Was this continuation an On PL\APA Agents a Violation call **Bill of Attainder?**

Q.17. Pursuant to RULE 902(B) Fed. R. C. P. was DE\APEs(State) in error for False- Imprisonment (State terrorism)after receiving Service by **Royal Consul Agents** Identification Pursuant to RULE 4?

Q.18. Will Court Order the PL\APA'S Royal Agents Released?

Q.19. Is DE\APEs (City & State) Conspiracy liable for **Punitive Damages** for malicious Slander Actions (False Claim that PL\APA is on the **National Sex Offender Web Site**) ?

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<<

JH\KBM

Ca. 05-129 **PARTIES TO THE CASE** ~~XXXXXXXX~~
ATTORNEY FOR THE PL\APTS **APP. 05-2222**

WILLIAM LORD PUNCHARD PRO SE.COUNSEL;
Royal Continental (Sudan) Africa Government
ROYAL CONTINENTAL (SUDAN) AFRICA
GOVERNMENT EMBASSY #15., (505) 546-54324
702 WEST FIRST STREET
DEMING,NEW MEXICO 88030, U.S.A.

ATTORNEY FOR THE DE\APAS

THE U.S. GOVERNMENT;GEORGE W. BUSH;
U.S DEPARTMENT OF STATE; CONDILESA RICE.
JOHN W. ZAVUTZ & DAVUD C. UGLESIAS
201 NORTH 3RD STREET
ALBUQUERQUE, NEW MEXICO 87103
(505) 345-7274

COMPEPA & VIDAL, Patric j. Turner,Esq.
P.O.BOX 8980
Santa Fe, New Mexico 87504-8980
(505)982-8141
NEW MEXICO STATE GOVERNMENT ;GOVERNOR
BILL RICHERSON; DEBRA CLARK; NEW MEXICO
CHILE PROTECTIVE SERVICES; SIXTH JUDICIAL
DISTRICT COURT; GARRY FEFFRES;

MODALL, Sperling, HARRIS,Etc.; MARRY TORRIES
P.O. BOX 2168
Albuquerque, New Mexico 87103
(505)848-1800
DEMING CITY POLICE DEPARTMENT

Adrin FLORES Pro Se Counsel
700 E. Pine St.,Deming, New Mexico 88030
(505) 546-8848

PARTIES TO THE CASE

APP. 06-2076

Civ. No. 05-130 JH\WDS

ATTORNEY FOR THE PL\APTS

WILLIAM LORD PUNCHARD PRO SE.COUNSEL;
Royal Continental (Sudan) Africa Government
ROYAL CONTINENTAL (SUDAN) AFRICA
GOVERNMENT EMBASSY #15., (505) 546-54324
702 WEST FIRST STREET
DEMING,NEW MEXICO 88030, U.S.A.

ATTORNEY FOR THE DE\APAS

JOHN W. ZAVUTZ & DAVUD C. UGLESIAS
201 NORTH 3RD STREET
ALBUQUERQUE, NEW MEXICO 87103
(505) 345-7274
THE U.S. GOVERNMENT;GEORGE W. BUSH;
U.S DEPARTMENTof JUSTICE,

BUREAU OF ALCOHAL,TOBACCO,
FIREARMS,EXPLOSIVE,
CARROLL, Explosive Program CHIEF,

Court Jurisdiction

This court has Jurisdictional pursuant to U.S. Constitution Bill of Rights, **ARTICLE VII:** Trial by Jury; **ARTICLE IV** Unreasonable seizure, Lack of Due Process; **ARTICLE V**, to be secure in papers; deprived; The **CONSPIRACY** with Civil Right **Act of 1871,** Attempting to Regulate Differently, Political Red Line; **ARTICLE I, Section 10,paragraph 1.** Attempting Determined letters of Political Royalty, to act out side U.S. Court Jurisdiction; **Bill of Attainder, EX POST FAC'TO** ; AND SLANDER this Court has Jurisdiction.

JURISDICTIONAL STATEMENT

This case is coming from the **tenth Circuit.**

Court of Appeals Date of Disposition is **December 28**

2006.number **CV-06-2222.**

This case was filed in **Federal District court**

De Nova number **CV-05-129**,and did Amended

complaint **3\17\2005** [redacted]

PRESIDENCES

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HISTORY (05-129)(APP. 2222)

This case complaint to the Federal District Court 02/03/2005. The DE\APES (Debbie Clark, State children protective services Director)(went before the State District Court Judge and **presented perjury testimony** concerning the Child(Grand son of PL\APA) Damion Edwards status as to be Adopted (taken away from his Mother), (PL\APA Family) Annia. The DE|APE never raise the Question of **Political Jurisdiction** for she know,and had reason to know of the PL\APE'S Declared Foreign Political Status.

Thus' When the DE\APE(State District Judge Garry Jeffries) received a Royal Embassy Letter Head **Motion for Arrest of Judgement(Jurisdiction). The DE\APE (judge) failed to redress or to return the Child.** For that attempted Kidnapping the PL\APA gave a Timely Notice of Intent (90 Days).

Thus' While this Matter was in Progress' the DE|APE(**Debbie Clark)** hearing (that the local Police had placed one of the PL\APA Teenagers (girl 16 years old) under arrest on

HISTORY

suspicion of Partying with intocating sustance while the Mother was out of town. The 12 old Girl and the 14 year old Was placed in the Pl\APA care) the two children being placed in the grand parent's care the DE\APE(Debbie) call the Police And told the Police Officer DE\APE (Flores) a **Slanders Lie.** **DE\APE** (Debbie Clark) misleading the Police by stating that the PL\APA (Foreign Minister) was on the **SEX Offender's Computer Web**. The DE\APE (Flores) hearing this he ordered the removal of the children from the PL\APA (Foreign Minister) car. (Grandfather With out Checking the **Sex Offender's** Web for himself Before, he Acted. The PL\APA was held at threat of Gun Drawing (false –Imprisoned) while the Diplomat's Car was Car hi-Jacked and the Pl\APA'S Grand Children were removed to a City Squard Car, and transported to the Department of Children Protective Services.

Thus' **one Hours later**, DE|APE was confronted with true Court Copies and Documentation that the state information she had was three fraudulent attempt **at Bill of Attainder ,ExPost**

HISTORY

Fac'to cover up by local State Sixth District Court Actors.

Never the less', DE\APE continued to spread **slander** with in the family of the Pl\APA that same Day Ex Post Fac'to. For the Attempted Conspiracy to violate the PL\APA **Civil Right Act of 1871 the** Pl\APA filed the Complaint against the State and The Federal Government ,Department State , Secretary of State (for their department for Conspiring with the State against the PL\ApA'S attempt to gain release of the Child(Grand Baby Boy) and Two(2) other Royal Government Consul Agents (Family Members) now in State Jurisdiction (Prison). The **Department of State (Ambassador Michael Rannederger Office Employees)** failed to treat Pl\APA as it has been doing with other Diplomats Namely! Republic of Sudan Government. Even though the President(Bush) Stated he share Pl\APA'S Concern for the Peoples of Sudan,He has his owne Dog in to the Fight (**Canada Oil Corporations**) while Oil is being stolen by the invading Republic of Sudan. The Department of State attempted to treat the PL\APA Diplomatic

HISTORY

Petition Differently. Thus' , allowing Malicious State Terrorism a free hand up on a Royal Government friendly to the United States. **All while w rking with in their Office** Scope SO!, PL\APA being aggrieved because **of not just lack of due Process but', actual hurt that Damages our Persons bodies, and good Name and can not be taken as harmless error So' Pl\APA filed this complaint.**

U.S. DISTRICT COURT HISTORY,

Any Statement the PL\APA Motion the in this matter would be denied by the District Court. Being that the PL\APAS were under the U.**S. Constitution , Article III., Sec.,2.,Paragraph** 2.(Foreign Ministers) U.S. Court Exclusive Jurisdiction. The District Court Attempted act to grant **DE\APE Motion to Dismiss.** District Court got carried away with his jurisdiction. The DE\APE claim that their was a right to the Dismissal if with in 10 days. The PL\APAS disagreed Pursuant to the U.S. **Constitution, Article III., Sec.2., Paragraph 2.(Foreign**

HISTORY

Ministers in contest against a State.) , and DE\APE Failed TO ANSWER THE SOMMONS. So' PL\APAS filed an Appeal APP. 2255 and paid $300.00 Timely. But , District Court failed to certify until after the **third(3) interlocutory Disposition**. Pl\APAS filed for each an amendment to the Original.

After the Final Order the Appeals Court action was bias in their disposition by Attempting to disrespect the PL\ApA'S Separate CaseAnd did attempt to **Mix this case** with another (05-130).The Supreme Court RULE 13,14,and 15 clearly states that each **should not be accompanied with any appendages or seprate Motions attached other than RULE 5.1 Pro Hac Vice.** Any **Court Of Appeals** Attempt to save the PL\ApAS Court Fees of $300.00 Extra Money. This would cause a Court Rejection of Both Cases. Pl\APA rejects the Offer. "Be Careful of Greeks baring.....So' We Appeal to U.S. Court.

STATEMENT OF THE CASE(05-129)

3. DOCTRINE OF NONE DELEGATION

The District Court had **no jurisdiction** to attempt to circumvent **the U.S. Court Exclusive jurisdiction** concerning Conflict between a state and a foreign state and, or foreign Minister. Pursuant to U.S. constitution , **Article III., Section 2., Paragraph** 2. The only action the District Court should have did is to review the complaint and Order it to U.S. Court.

4. INTERLOCKTORY;

The Appeals Court Statements on Page (APP.4),(Hilighted) shows that none of the district Court's subject matter Motion to Dismiss was supported by the Appeals Court. If the PL\APA'S (Political) position was **not taking** into account then there has been no opposition to the PL\APA'S Claims. What the Appeals Court **disposition on** was his Court **Work methods only.** Appeals Court Attempted to treat the PL\APAs Differently. Attempting to **Discriminate no National Organ**. The Conspiracy by the DE\APE on the same Subject is what the DE\APE . Such Action violates PL\APA'S **Civil Rights Act of 1871**

PLEASE SEE: (EXHIBIT H).

5. IMMUNITY,

Because the DE\APES (State)Action are carried out with the DE\APE (City) their violation of PL\APA'S **Civil Rights Act of 1871 there is no APA Immunity .** All was acting with in their Work scope **therefore,** the Government is the Proper DE\APE (U.S.). **Slander** the Pl\APA, **Kid napping** the Diplomat's Family Members (**two** girls and **one** boy), **false Imprisonment** of Royal **Government Consul Agents** (2) is not the Normal treatment of Diplomatic connected Persons.

Pl\APA'S Diplomatic relations have been established therefore Diplomatic Immunity should have been observed by DE\APES. **PLEASE SEE: (EXHIBIT E) Pursuant to U.S. V, Belmont Bank 301 U.S. 324 (1937).**

6. HEARING,

Pursuant to U.S. Constitution, Article III.,Sec..2.,Paragraph 2. The only Court that can hear this case is the Supreme Court exclusively. Which means a guaranteed Hearing on the Matter.

STATEMENTS OF THE CASE (05-129), (APP.06-2222)
Pursuant to RULE 12(B)(6)

7. **THE PRESIDENT**, The U.S. Court System requires that the President be served a copy a Copy as a Party. The **President GEORGE W. Bush** has not did any OVERT ACT WHILE IN THE SCOPE OF HIS JOB that would subject him to any **BEVINS'S ACT.** His integrity is impeccable. **However'** Federal Employees(**Department of state**) working with in appointed Departments has Conspired to **treating** PL\APA'S **differently which** Violated **Civil Rights of 1871** . thus' making Moot any Immunities. A (**"FTCA"**) Action. **Thus'** his **Motion for Dismissal** failed to state a cause up on which Relief could be granted. **RULE 12(B)(6).**

*2. Two out standing presentation by DE\APE sit in the way of Defendant's Motion to dismiss. **1.** The Doctrine of None Delegation (no Jurisdiction to determined PL\APA'S Foreign Political status). **2.** Mixing two unrelated cases is a bill of attainder. **3.** The Supreme Court Rules 13,14, and 15. Will not allow appendage to a case less the Court will reject both Cases. For this reason the PL|APA filed each Case separate from the attempted Mixing by APP.C.'S Disposition. We hold that the DE\APE 'S and APP.C. Has failed to state a claim up on which relief Motion could be granted.

STATEMENTS OF THE CASE (05-129)(APP. 2222)

8. FAILURE TO GRANT EQUIAL PROTECTION
Pursuant to RULE 12(b)(6).

Secretary of State Condelease Rice's working with in the scope has did **no personal wrong** Pursuant to **Bevins's Act. The U.S. Court** requires that She be served and named on a Copy. **Federal** Employees working **with in their scope** under the Secretary **has Conspired with state. PLEASE SEE:(EXHIBIT G). failing to grant Equial Diplomatic Protection** to the PL\APA **Family and Government Agents**. **Thus '** Treating the PL\APA Differently from other Diplomats. **Violating Civil Rights ACT of 1871.** Thus' did fall under the ("**FTCA**"). Actions. The **Ambassador Randinburg (Sudan Project)** Office **failed to** grant equal relief protection to PL\APA'S **Royal Government Agents**. Treating differently from **Republic of Sudan Government**. Violating **U.S. Constitution, Article I. ,10. Sec.Paragraph 1..** Dabbling in Letter of Political Title of Nobility. **PLEASE SEE: (EXHIBIT H).**Thus' DE\APES fails to state a claim up on which relief could be granted. **(RULE 8(a).**

STAATEMENTS OF THE CASE (05-129)(APP. 2222)
Pursuant to RULE 12(b)(6) AND; RULE 8(a)

9. Bill of ATTAINDER,

State Governor **Bill Richardson** Office fail to release **Consul Agents** (2).Even after **Poroal Board** recommended Release. Governor was served Pursuant to **Court Rules** . **Thus'** State Governor and , his Employees Conspiracy to advance on a **BILL of Attainder**. Thus', failing to state a cause up on which relief could be granted **(RULE 8(a) Jurisdiction).**

10. CONSPIRACY TO KIDNAPING

Judge **Garrie Jeffres; and Child Protective services; Social Worker Director Debra Clark** has attempted Adoption **(Kidnaping)** of PL\APA'S **5 year old grand Child.**

*2. **Police Dept.** and State Court has Past hostility **History**, of Raiding the Royal Embassy; and Kidnapping PL\APA's. **Minister** and **Agents**. **PLEASE SEE: (DC 05-130.,Doc.EXHIBIT Administrative Record ,Page 17 . paragraph 7. ; AND PAGE 18., Paragraph 9, 10, 11.**

STATEMENTS OF THE CASE (05-129)(APP. 2222)

DE\APE (Judge Jeffres) refused to Redress on **Motion for Arrest of Judgment (no Jurisdiction)**.Even after receiving a Embassy Letter identifying the Child as a **Royal Diplomatic Family Member.** The DE\APE (State Court) **Conspired to keep** the 5 Year Old ChileGrandson **after** the identification **This ' made a Conspiracy to Bill of Attainder** (U.S. Constitution , Articl I.,Section 10., Paragraph 1.)). **Therefore'** failed to state a claim Up on which relief could be granted. **RULE 8(a)**

***3.** DE\APE'S Dismiss Motion **has no** Extra-territorial **jurisdiction** , **PLEASE SEE: U.S., Vs, Belmont Bank** 301 U.S. 324 (1937) **Thus'** Pursuant to U.S. **Constitution, Article III., Section 2, Paragraph 2** (exclusive jurisdiction); DE\APE Failing to State A claim up on which relief **Motion to dismiss** could be granted. **RULE 8(a).**

11. LACK OF DUE PROCESS PROTECTION(APP 2222)
Pursuant to RULE 12(b)(6)

Appeals Court disposition **(EXHIBIT 00) and discussion Page 3.,Paragraph 2. Line 9. , Failed to grant** Equal Protection to the PL\APA of Case App. 2222. **The U.S. Judicial Branch has No Jurisdiction** to Make International decisions as to **Political Royalty**. . Appeals Court's failure to grant Service violates the PL\APA'S **Constitution, Article 14 th.** Thus' DE\APE failed to state a claim up on which relief could be granted .

*4.

The addition of the **extra Party (Royal Government)**to the Case **(05-130)(App. 2076)** is a act called **Bill of Attainder.** Joining the cases 05-130 and 05-129 is a **Compounded** Violation of the **Bill of Rights ,5th Amendment (Double jeopardy).** The Case **05-130** subject matter has nothing to do with **05-129**. Mixing cases is **denial of Due process** Service. Appeal Court **Fail to support DC'S Dismiss Motions** in Cases (05-130)&(05-129. **DC failed** to state a claim up on which relief could be granted .**RULE 12(b)(6).**

*5.

APP.COURT has some **kind of obsession** with his attempt to discredit or consummate PL\APA'S Royal Government. A Royal Government that **al ready** has established Diplomatic Relations with the U.S. Government. PLEASE SEE: **U.S. V, Belmont Bank** 301 U.S. 324(1937). **(PAGE APP.13 &14).** APP. Court refusal of Case Service based on his belief are Moot and **is a feeble** Act that Attempts to violates PL\APA's **Fourteenth (14th) Amendment Immunity Rights**. Concerning establishing Royalty the APP. Court suffers from the **doctrine of none delegation** (no Jurisdiction). **PLEASE SEE: U.S. Constitution, Article I., Section 10 , Paragraph 1.**

STATEMENTS OF THE CASE(APP. 2222)
Pursuant to RULE 12(b)(6)

12. FALSE-IMPRISONMENT, CAR JACKING, ASSAULTING, KIDNAPPING

DE\APE(**Debra Clark)State** Children Protection Services Caused the DE|APE(**Deming City Police Department**) and, DE\APE (**Police Sergent Adrin Floris**) to Assault the PL\APA Person with **Fire arms threat** . They Car Jacking PL\APA **Diplomatic Car** and, **forcing the** Pl\APA'S family Members (two Grand Daughters Age12 and, Age13.) from the Diplomats Car in to City Police Car for transporting to the State Children's Protection Department. All Because, **DE\APE (Debra Clark) Lied to DE\APE(City Police**). Her lie Stated that PL\APA was on the **Computers listing as a Sex Offender.** Had she been under **Oath It's Call Purgary. City Police Conspired with State** to act **without Checking the Computer Web (Sex Offender) site first.** Treating the PL\APA deferently from other Diplomats. **Violating PL\APA'S Civil Rights Act 1871. City, State Loosing Any Immunity cover. PLEASE SEE: U.S.C.A. Sec. 1983, 1985**

REASON FOR GRANTING

1. App.Court failed to consider all the PL\APA Because, they have Foreign Agent Title for **21 Years**, and registered in U.S. Justice Department. **Pursuant to RULE 901 (8)(C). FED, R. of Evidence.** App. Court rejection is **Moot.**

2. Pursuant to **U.S. V, Belmont Bank 301 U.S. 324 (1937)** PL\APA have open Diplomatic Relations With the Bush Administration . App. Court **Rejection** suffers from the **Doctren of none Delegation** (Jurisdiction). **PLEASE SEE: (EXHIBIT E).** D.C. Disposition should be overturned.

3. Appeals Court **attempted Mixing** of unrelated cases is a violation of PL\Apa's Constitutional Protection Article I./ Sec. **10., Paragraph** 1.. **Bill of Attainder**, **EX POST FAC'TO PLEASE SEE: (EXHIBIT 00).** App.Court failed to state a claim up on which relief could be granted.

4. App. Court Attempted **Mixing** of Cases did **Doubled Jeopardy** against PL\APAs **Constitutional ,Article V Amendment. PLEASE SEE: (EXHIBIT 00) Page one.**

REASON FOR GRANTING

5. DE\APE (STATE & DEPARTMENT OF STATE) **Adoptions,** and **Arrest of Agents** Actions against Royal Family is State Terrorism , this Royal Government **is not on the** International Terrorism List. Treating the Royal Government Agents Differently Violates PL\APA **Civil Right Act of 1871.PLEASE SEE SEE: Constitutional , Article I.,Sec10.,Paragraph 1.(Letters of Reprisal).**

6. Pursuant to **U.S. constitution Article III.Sec 2., Paragraph 2.** The U.S. Court has exclusive Jurisdiction where a **Minister is concern**. D.C.'s Disposition suffers from the Doctrine of none delegation . DE\APEs failed to state a cause up on which relief could be granted.

7. DE\APEs spreading its jurisdiction over PL\APA'S consul Agents constitution State Terrorism with U.S. Congress Approval for War. U.S. Court has the Jurisdiction to Redress such State Actions. U.S. constitution , article 10 Paragraph 3. DE\APEs failed to state a **jurisdictional claim for Immunity.**

William Lord Pamchard

REASON FOR GRANTING

8. Because the State DE\APE(Clark) intentionally made Liable and misleading statement to the DE\APE(city Police Man) to gain this City Department Help (Conspiracy)in the Criminal CAR-Jacking , abduction kidnapping , and false-imprisonment of (Pl\APA'S (Diplomat) it is a conspiracy and civil right violation **PLEASE SEE: Meredith, v, Allon county War Memorial Hospital Commission 397 F .2d 33.,** A action could be held against the DE\APEs **for lack of equal Protection**. DE\ApE's has no Immunity defense.

9. Because the DE\APEs Actions were did while working in their Job Scope The Bevens Act is not in Play. Pursuant to Doctrine **of Job Scope** .Hence the remedy here is each Government facing ("FTCA") . **PLEASE SEE: McNair, V, U.S. Postal Service, 446 F. Supp. 1156 .**

CONCLUSION

The conspirtors in each instant acted with neglence Toward the PL\APA ; in the case of the state and Federal

CONCLUSIONS

Employee there was direct contact concerning the issues. The lack of Respect , and arrogance against the PL\APA caused the DE\APE(City Police) to act **blindly** and with Neglenc concerning any Legal Records. Slander by DE\APE(State) caused Damages to the Pl\APA good name in **front of his family**. Diplomat's Cars are like Diplomatic Pouches they are off Limits; Misleading DE\APE(State Judge) concerning adoption was a criminal offense, but' refusing to court Redress up on Letter of identification**(Rule 902)** caused a conspiracy to treat differently ,and Denial Equal **Protection** against Kidnapping, DE\APE(Federal) failed to treat Equally the PL\APA (Minister) and his Royal **Consul Agents**. Failing to Because' America **Department of State** al so have a Project in Sudan it call the "Sudan Project". Failing to grant equal Protection Release for **Royal consul Agents** is **Conspiracy to Over** throw **A frindly** Government in favor **of Hostile Church Based** Government. **The Republic of Sudan** . **PLEASE SEE: (EXHIBIT E)**

We Respectfully submit our concerns on the Brief. No Oriel arguments requested

Thus' having no more business before the Honorable Court the Plaintiff-Appellants thank the Honorable Court.

2/19/2007

William Lord Punchard

William Lord PUNCHARD Pro Se counsel
ROYAL Continental Africa Government Embassy #15.
702 West First Street
Deming, New Mexico 88030
(505) 546-5434

I certify that I have mailed a copy to the Defendants Prtys on this date 220 2007

William L. Punchard **William Lord Punchard Pro se**
William Lord Punchard Pro Se Counsel

(EXHIBIT 00)

UNITED STATES COURT OF APPEALS

TENTH CIRCUIT

William Lord PUNCHARD,Royal Democratic States of Continental (sudan) Africa Government, Plaintiff-Appellant, V, UNITED STATES GOVERNMENT; GEORGE W. BUSH, President; STATE OF NEW MEXICO; Bill RICHERSON, Governor; DEBBIE CLARK, New Mexico Children Protective Youth and Families Department; New Mexico Sixth Judicial District Court; Gary Jeffries, Judge; U.S. DEPARTMENT OF STATE; Condoleeza RICE, U.S. Secretary of State; ADRIAN FLORIS, Sergeant; DEMING CITY POLICE DEPARTMENT, Defendant-Appellees.	FILED United States Court of Appeals circuit TenthCircuit December 28,2006 Elisabeth A. Shumaker Clerk of Court No. 05-2222 (D. New Mexico) (D.Ct.No.CIV-05-129 JH/KBM
William Lord PUNCHARD,Royal Democratic States of Continental (Sudan) Africa Government, Plaintiff-Appellant V, UNITED STATES DEPARTMENT OF JUSTICE; BUREAU OF ALCOHOL,TOBACCO, FIREARMS AND EXPLOSIVES; CARL W. CARROLL, Exliosive Program chief, Defendant-Appellants.	No. 06-2076 (D. New Mexico) (D.Ct.No.CIV-05130 JH/WDS)

ORDER AND JUDGEMENT

Before **HENRY, BRISCOE, O'BRIEN,**Circuit Judgess.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *see* Fed. R., App.P. 34(a)(2); 10th Cir. R. 34.1 (G). The case is therefore ordered submitted without oral argument.

This case concerns the consolidated *Pro se* appeals of William Lord Punchard Challenging the dismissal of two separate Lawsuits. 1 In his first suit, Punchard filed numerous claims against the President of the United States , the Secretary of State, the United States Government, Governor Bill Richardson, the State of New Mexico , Debbie Clark, Children, Youth Families Department, the

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* This order and judgement is not binding precedent except under the doctrines of law of the case, res judicata and collateral estoppel. It may be cited, however, for its presuasive value consistent with Fed. R App. P. 32.1 (eff. Dec. 1 2006) and 10th Cir. R. 32.1(eff. Jan. 1,2007).

1 Because Punchard appear *Pro se* , We construe his pleadings liberally. Ledbeller V, City of Topeka, Kan., 318 F.3d 1183, 1187 (10th Cir. 2003).

Sixth Judicial District Court, District Judge Gary Jefferies, the Deming City Police Department, and Sargent Adrian Flores all arising from the removal , by the Police department , of two *minors* from Punchard's automobile(Case # 05-2222). Punchard's second suit encompassed a number of claims filed against the President of the United States, the Bureau fo Alcohol, Tobacco, Firearms and Explosives(ATF) and ATF Arson and Explosive Program Chief Carson W. Carroll, all arising from the denial of his application to the ATF for a permit to Purchase Explosives (Case # 06-2076). Exercising jurisdiction pursuant to 28 U.S.C. Sec. 1291, We AFFIRM.

Discussion

This is not our first introduction to Punchard's legal complaints. *See punchard v, New Mexico,* 956 F.2d 278(10 th Cir. 1992)(Unpublished; *Punchard V, New Mexico* ,69 F.3d 548 (10th Cir.1995)(unpublishes); *Punchard v, Luna County Comm'n. 116F3d 489 (10th Cir. 1997)*(unpublished);Punchard V, Luna County Comm'n,202 F3d 282 (10th Cir. 2000)(unpublished). In previous filings with the district court

and this Court, Punchard has described himself as the head of State for a non-existent Royal Democratic States of Continental (Sudan) Africa Government, **As we have done before, we disregard any reference of arguments Punchard makes that depends on that alleged entity's existence,** ***see Punchard V, New Mexico*** **, 56 Fed. Appx. 443,444 (10th Cir. 2003)(unpublished); and** ***Punchard V, the Bureau of Land Mgmt., Appx.*** **817,818. (10th Cir.)(unpublished);cert. Denied. –SCt.—2006 WL 3037654 (2006).** Additionally, we note that Punchard's propositions in both appeals are difficult to understand and are not supported by cogent arguments or legal authority. We will not "manufacture a partu's argument on appeal when it has failed in its burden to draw attention to the error below." *Nat'l Commodity & Barter Assoc. V, Gibbs, 886 F2d 1240, 1244 (10th Cir 1989).*

1. Jurisdiction on appeal

Case # 05-2222, Civil Complaints Against Federal , State and Local Entities

Punchard initially appealed from the district court's June 23, 2005 order granting the Federal defendants' motion to dismiss. In its order, the district court determined (10 Punchard's complaint and amended complaint was unintelligible and did not comply with Rule 8(a); (2) he failed to state a claim pursuant to Rule 12(b)(6) against any of the named federal defendants ; (3) he did not alleged any grounds for waver of sovereign immunity. At that time, the district court had not adjudicated the remaining claims againsst several state defendants and the Deming City Police Department. **Thus'** the June 23,2005 decision was not a final order,

On December 14, 2005 the district court granted the Deming City Police's Motion to dismiss for failure to state a claim. And on March 30, 2006 , The District Court granted the

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***2 Since the case involved several federal, state and local government entities including named parties, we have grouped all of the federal defendants together (federal defendants), all of the state defendants to gather (State defendants) and the Deming City Police Department defendants together (Deming City Police).** **(APP. 5)**

state defendants' motion to dismiss for the same reasons it dismissed the claims against the federal defendants. The District Court then entered a separate final judgement of the entire case. Because the district court entered a separate final judgment , Punchard 's July 15, 2005 appeal (federal defendants) become ripe on March 30, 2006. *See lewis v, b.f. goodrich Co.* 850 F2d 641,645 (10th Cir. 1988) (Fed. R..App.P.4(a)(2) permits a notice of appeal, filed prematurely, to ripen once final judgement has been rendered).

After final judgment had been rendered, Punchard did not file a formal notice of appeal from the district court's December 14, 2005 Order (Deming City Police) and March 30, 2006 order(state defendants) and final judgement. Never the less, we treat Punchard's opening brief filed with this court on April 19, 2006, as the functional equivalent of a timely appeal as to the later orders and final judgement. *See* Smith V, Barry, 502 U.S. 244,248-49 (1992) ("if a document filed with in the time specified by rule 4 gives the notice required by

Rule 3, it is affective as a notice of appeal."). Accordingly, we have jurisdiction under 18 U.S.C. Sec. 12 91.

Case #06-2076, District Court review of Agency Decision.

Punchard appeals from the district court's decision on the merits that ATF properly denied, in accordance with APA Prcedures, Punchard's application for 18 U.S.C.Sec.845(b) relief from disabilities regarding the right to purchase Explosives. The District Court determined that the ATF decision" was neither argitrary, nor capricious, nor an abuse of its discretion," (R. Vol. 1 Doc. 44) Additionally , the district court found that ATF acted with in the scope of its authority and complied with prescribed APA Procedures. The District Court entered its final judgement o February 23, 2006, and a timely appeal followed.

2. Merits

We have thoroughly reviewed all of the numorous documents filed by Puchard in this appeal and have reviewed *de nova* the district court's final judgements in favor of the defendants and the entire record on appeal . During this

review, we labored to understand Punchard's incoherent ramblings and issues on appeal. Never the less, our review demonstrates the district court's resolution in this case was substantially correct. The final judgement of the District court in Case number –5-222 and case number 06-2076 is AFFIRMED for the reasons set out in the court's orders. All pending motions are hereby DENIED.

Entered by the Court:
Terrence L. O'Brien
United states Circuit Judge

(EXHIBIT A)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MXICO

WILLIAM LORD PUNCHARD;
ROYAL DEMOCRATIC STATES
OF CONTINENTAL (SUDAN)
AFRICA GOVERNMENT,
Plaintiff, **[Doc.No.70]**
Vs,

PRESIDENT GEORGE W. BUSH ,ET AL.,
Defendant.

FINAL JUDGEMENT

Having granted the Motion to Dismiss [Doc. No.64] brought by the state of New Mexico , Governor Bill Richerson , Debra Clark, Children , Youth & Families Department , the Sixth Judicial District Court, and District Judge Gary Jeffries by a Memorandum Opinion and Order entered contemporaneously with this Final Judgement,

And having entered judgement in favor of the Federal defendants and the city defendants by virtue of Memorandum opinion and orders entered June 23, 2005, and December 14, 2005 respectively, the Court now having adjudicated all of Plaintiff' claims in this case,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED That final summary Judgement is entered in favor of Defendants and this cause is Dismissed.

Judith Herrera
UNITED STATES DISTRICT JUDGE

(APP. 9)

(EXHIBIT B)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

WILLIAM LORD PUNCHARD;
ROYAL DEMOCRATIC STATES
OF CONTINENTAL (SUDAN)
AFRICA GOVERNMENT, Ca. 05-129 JH|KBM
Plaintiff, **[Doc.No.69]**

Vs,

PRESIDENT GEORGE W. BUSH,et al.,
Defendants.

MEMORANDUM OPIONON AND ORDER

This matter came before the Court on the Notion to Dismiss [Doc.No. 64] brought by the following defendants: the State of New Mexico, Governor Bill Richardson, Debra Clark, Children, Youth & Families Department , the Sixth Judicial District Court , and District Judge Gary Jeffries("here after State Defendant"). The state defendants move to dismiss all of Plaintiff's Claims against them. After a review of Plaintiff's complaint and amended complaint, as well as the papers submitted by the parties and the relevant legal authorities , the court finds that the motion should be granted.

The Court's decision rests on several grounds . First, the complaint and amended complaint are unintelligible an do not contain a short and plain statement setting forth the grounds upon which jurisdiction rests or demonstrating that the plaintiff is entitled to relief , as required by Rule 8(a) of the Federal Rules of Civil Procedure,.. Because the complaint is unintelligible, it is virtually impossible to discern the

nature of Plaintiff's claim in this case. Second, although Plaintiff names the state defendants in the captions of his complaint and amended complaint and refers to some of them at times in the body of the complaint, those allegations are so muddled and confusing that under rule 12(b)(6). Plaintiff has failed to state a claim against the state defendants for which relief may be granted; Third even if Plaintiff had alleged wrongdoing by the state defendants, he has not alleged any grounds for waiver of their Eleventh Amendment Immunity. Fourth , Plaintiff has not alleged any grounds for waiver of Defendant Judge Gar Jeffries' absolute judicial immunity from suit.

IT IS THEREFORE ORDERED THAT the Motion to dismiss [Doc.No. 64] brought by the state of New Mexico , Governor Bill Richerson, Debra Clark ,Children, Youth & Families Department , the Sixth Judicial District Court , and District Judge Gary Jeffries is GRANTED and Plaintiff claim against the state defendants are Dismissed . Plaintiff's Motion for Summary Judgement[Doc.No.63] is Denied. *Judith Herrera*

UNITED STATES DISTRICT JUDGE

(EXHIBIT C)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

WILLIAM LORD PUNCHARD,
ROYAL DEMOCRATIC STATES
OF CONTINENTAL(SUDAN) **[Doc. No. 55]**
GOVERNMENT,
Plaintiff, Civ. No. 05-129 JH\KBM
Vs,
UNITED STATES GOVERNMENT, EL AL,
DEFENDANTS.

PARTIAL FINAL SUMMARY JUDGEMENT

In accordance with the Memorandum Opinion and Order entered June 23,2005 and the Orderentered contemporaneously with this Partial Final Summary Judgment, and findings no just reason for delay, the court hereby enters **PARTIAL FINAL SUMMARY JUDGMENT** in favor of defendants "United States Government." President George W. Bush, Secretary of State Condilease [sic] Rice, and the U.S. Department of State(collectively, "Federal Defendants") , and all of Plaintiff's claims against the Federal Defendants are **DISMISSED WITH PERJUDICE.**

Judith Harrera
UNITED STATES DISTRICT JUDGE

(EXHIBIT D)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

WILLIAM LORD PUNCHARD;
ROYAL DEMOCRATIC STATES OF CONTINENTAL
(SUDAN) AFRICA GOVERNMENT,

[Doc.No.53]

Plaintiff, **Case No. Civ. 05-129 JH\KBM**

Vs,
UNITED STATES GOVERNMENT, ELAL.,
DEFENDANTS.

MEMORANDUM OPINION AND ORDER

This matter came before the court on Defendant *Deming police Department's Motion to Dismiss[Doc. No. 39], In that Motion , the City of Deming Police Department ("the City") argues that Plaintiff aailed to Properly serve* it with his complaint, and that Plaintiff 's Amended complaint fails to state a claim against it for which relief may be granted

In support of its Motion to dismiss, the City argues that an amended complaint supresedes and replaces the original complaint and renders it a nullity, unless, the amended complaint speifically refers to or adopts the earlier pleading. The City contends that Plaintiff's amended complaint does not reference or incorporate those allegations contained in the orginal complaint and thus he has abandoned these claims.

It is a well-established general rule that amended

complaints, filed pursuant to Rule 15(a) of the Federal Rules of Civil Procedure Rule , Supersedes the complaint it Modifies and renders the prior complaint of no legal affect, See Graham V, City fo Oklahoma City 859 F.2d 142,144 (10th Cir.1988); Boelens V, Redman Homes, Inc 759 F.2d 504,508(5th Cir. 1985); cameron V, Fogarty, 705 F.2D 676(2D Cir 1983) London V, Coopers & Lybrand, 644 F.2d 811 (9th Cir. 1981). However, under Rule 10(c), Specific allegations of the Prior Complaint may be referenced or incorporated by the amended complaint but only if reference to allegations in the prior complaint is direct and specific. *King V, Atiyeh, 814 F.2d 565,567(9th Cir.19870; Aktiebolaget stille-Werner v, Stille_Scanlan, Inc. 1 F.R.D. 395(S.D N. Y.1940)*. While William Lord Punchard , a pro Se Plaintiff, is entitled to have pleadings construded Liberally , he nevertheless is subject to the same rules of procedure that govern other litigants.*Green V, Dorrell,*968 F.2d 915, 917 (10th Cir. 1992).

Because he filed his amended complaint before any Defendant had filed a responsive pleading, Plaintiffs amended complaint is valid and in affect. Therefore , the amended complaint supersedes allegations of original complaint . Plaintiffs amended complaint makes no mention of the City , contains no allegations of wrongdoing by the City , and sets forth no claims against the City.
Futhermore , Plaintiffs amended complaint does not

mention the existence of a prior original complaint and makes no explicit and direct reference to specific allegations of the original complaint .

Because , the amended Complaint fails to state a claim against the City the Motion to dismiss should be granted city. The Court does not reach the question of whether Plaintiff has effectuated proper service on the City .

IT IS THEREFORE ORDEED that Defendant Deming Police Department's Motion to Dismiss {Doc. No. 39] is **Granted** and All of the Plaintiff's claims against it are Dismissed.

Judith Herrera
UNITED STATES DISTRICT JUDGE

(EXHIBIT E)

U.S.

<SEAL> UNITED STATES DEPARTMENT OF STATE

Washington, D.C. **20520 April 29,2003**

Dear Mr, Punchard

The **White House** has asked me to respond to your letter to **President Bush** about Sudan.

The Administration shares your concerns for the **Peoples of Sudan** who have suffered aerial bombing, slave fading, forced Displacement, and religious persecution as a result of the 20 years conflict. We believe the opportunity to end these human tragedies is possible by securing a just and lasting peace.

We are encouraged by the peace negotiations in Kenya between the warring parties, the Government of Sudan and the Sudan Peoples's Liberation Movement/ Army (spim/a).

Both parties signed an agreement in October 2002 to cease hostilities and allow unimpeded humanitarian access to all areas of Sudan. As a result, aerial bombardment has ceased Fighting has been reduced , and some previously unreachable areas are now receiving Food aid. .....

.....in support of peace talks , the u.s. established a Civilian Protection monitoring Team (CPTM) to investigate attacks on Civilians,.....

.....The President signed the Sudan Peace Act in to Law October 21 and the Administration is actively engaged in realizing it's goal. A just and lasting peace for all the peoples of Sudan,.....

Sincerely,

Ambassador Michael Ranneberger

special advisor for Sudan Bureau of African Affeirs.

(APP. 17)